

AFFIDAVIT OF SUITABLE SERVICE

INDEX # 06-5112 N

U S District COURT OF THE STATE OF NEW YORK
COUNTY OF New York

Barry Gibbs

- against -

Louis Eppolito Sr Et Al

COCHRAN NEUFELD & SCHE
99 Hudson St
NEW YORK
NY 10013

Atty File # 2049

Record # 87990

(212) 965-9081

File # 15

STATE OF NEW YORK: COUNTY OF NASSAU: ss

William E Wittenhagen Li#951045 being duly sworn deposes and says deponent
is not a party to this action and is over the age of eighteen years
and resides in the state of New York:

That on 04/17/07 at 2:19pm at One Police Plaza New York Ny 10038
deponent served the within Summons & Complaint In A Civil Action on
John Muldoon
recipient therein named.

After your deponent was unable with due diligence to serve the
recipient in person, service was made by delivering a true copy
thereof to and leaving with David Goldfarb Attorney
a person of suitable age and discretion at One Police Plaza
New York Ny 10038 said premises being the recipient's
usual place of business within the State of New York.

Deponent completed service by depositing a copy of the
Summons & Complaint In A Civil Action on 04/17/07 in a postpaid,
properly addressed envelope by first class mail, bearing the legend
Personal & Confidential and not indicating legal action, in an official
Depository under the exclusive care and custody of the United States
Post Office in the State of New York.
Mailing was made to One Police Plaza New York Ny 10038

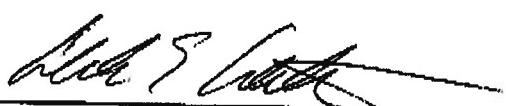
Attempts:

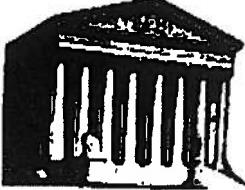
A description of the person served on behalf of the defendant is
as follows:
Approx Age: 30 Years Approx Weight: 170 Lbs. Approx Height: 5'7"
Sex: Male Color of Skin: White Color of Hair: Black
Other:

Deponent spoke to David Goldfarb-Attorney same as above,

confirmed the above address of defendant and asked whether defendant was in active military
service of the United States or the State of New York in any capacity whatever or is a dependent
of anyone in the military and received a negative reply. Defendant wore ordinary civilian clothes
and no military uniform. The source of my information and the grounds of my belief are the
conversations and observations above narrated. Upon information and belief I aver that defendant is
not in the military service of New York State or of the United States as that term is defined in either the
State or in Federal statutes.

Sworn to before me this 04/18/07
Maureen Scarola #015C6127636
Notary Public, State of New York
Nassau County, Commission Expires 05/31/09


William E. Wittenhagen Li#951045


Supreme Judicial Services, Inc.

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